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Attorneys for Defendant  
Virgin America, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JENNIFER KEUM,

Plaintiff,

vs.

VIRGIN AMERICA, INC., and DOES 1  
through 25, inclusive,

Defendants.

Case No. 10-cv-03285 SI

**HEARING:**

Date: January 28, 2011  
Time: 9:00 a.m.  
Courtroom: 10 (19<sup>th</sup> Floor)

**PARTY'S STIPULATION TO CONTINUE  
HEARING SHOULD THE COURT  
DECIDE TO HAVE ORAL ARGUMENT  
ON DEFENDANT'S MOTION FOR  
JUDGMENT ON THE PLEADINGS  
Rule 12(c)**

IT IS HEREBY STIPULATED AND AGREED by and between Defendant VIRGIN  
AMERICA, INC. and plaintiff JENNIFER KEUM as follows:

1. To request that the court continue the hearing in this matter to February 10, 2011 or any later date as is convenient for the court's schedule or in the alternative decide this motion on the pleadings.

Pursuant to Local Rule 6-2(a) the parties provide the following information:

1. This request is being made because counsel for Virgin America has a conflict requiring her to attend a deposition on January 28, 2011, at 9:00 a.m. in San Diego. This deposition is of an FAA Air Safety Inspector which took months to set up with the FAA and cannot be rescheduled. Ms. Winter has worked that case exclusively

and because of her years of professional aviation experience is in by far the best position to examine this witness on the technical aspects of the issues arising from the FAA/NTSB investigation of an airplane crash which is the subject of the pending litigation styled AMANDEEP SINGH, et al v. CALIFORNIA FLIGHT ACADEMY INTERNATIONAL, INC., et al, San Diego Superior Court case number 37-2010-00101294-CU-PL-CTL. Substituting attorneys for this deposition would prejudice our client, California Flight Academy.

2. Ms. Winter is also the logical person to attend the hearing on Virgin America's motion for judgment on the pleadings to answer any questions that the court may have, as she wrote the briefs and is the only attorney in this office who is intimately familiar with the preemption issues presented – having dealt with these issues extensively over the last ten years or so. In fairness to Virgin America and to the court, substitution of counsel who has not worked with the issues of federal preemption in the realm of aviation would waste the court's time and prejudice Virgin America.
3. No other time modifications have been granted in this matter as this case is just in the preliminary phases of discovery.
4. A delay of even several weeks or more will not have any effect on the overall timing or deadlines in this case. Discovery is progressing in the interim.

DATED: January 19, 2011 WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

By: [Signature]  
 Stephen L. Nelson  
 Kristin A. Winter  
 Attorneys for Defendant  
 Virgin America, Inc.

DATED: January 19, 2011

LAW OFFICES OF DANIEL VEGA

By: [Signature]  
 Daniel Martínez de la Vega  
 Attorneys for Plaintiff  
 Jennifer Keum

